



FARM BUREAU SAN DIEGO COUNTY

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April 28, 2015

Ms. Felicia Marcus, Chair
State Water Resources Control Board
1001 I Street
Sacramento, CA 958

Dear Chair Marcus:

In our April 22, 2015 letter we addressed the portion of the Draft Regulation for Urban Water Conservation that places a 20 percent threshold of agricultural water deliveries urban water suppliers would have to meet in order to remove commercial agricultural use from their water production totals. It is our belief that removing the 20 percent threshold and including all commercial agricultural water use is the fair standard to adopt.

The following are responses to reservations that may exist on this matter:

Individuals could “game” the system by passing themselves off as commercial agriculture. To be defined as commercial agriculture water users should be required to meet a high burden of proof. All commercial agricultural water users file their income taxes as farmers and most often hold one or more licenses or permits issued by the County Agricultural Commissioner. Also, commercial farmers are enrolled in irrigated lands monitoring groups. These and other measures, including visual inspections, can be used. The opportunity to game the system might actually be greater in the water districts meeting the 20 percent threshold simply because of the large number of farms. In the more urban districts the farms are few and very visible, making them easy to quantify. Also, retail water districts have a strong incentive to push back against gaming because those individuals provide some of the greatest opportunity for urban water use reductions.

A burden will be created for the retail water districts. In San Diego County, the retail water districts have expressed support for an all-inclusive agricultural regulation. That has been exhibited through comment letters submitted on the draft regulations and in conversations with our office. In those districts the volume of water is small, as is the number of farms, making for easy discovery and tracking.

A burden will be placed on State Board staff. We believe state staff can mitigate the impact by creating a simple to use reporting framework for the retail agencies that have smaller agricultural water deliveries. This could include allowing those districts with smaller agricultural deliveries to submit joint Agricultural Water Management Plans or a less intense urban agricultural water management plan.

Those districts can support agriculture locally by placing a greater conservation requirement on urban water users. This places an unfair burden on urban users that won't be felt by urban users in those districts that meet the 20 percent threshold. Urban districts with limited agriculture will be hard pressed as it is to meet the mandated use restrictions because much of their population resides in dense neighborhoods with limited outdoor irrigation. Also, urban farms face challenges already and should not be placed in a position of essentially asking for charity from their neighbors.

Agriculture needs to cut their share. Agricultural water use in San Diego County has dropped 52 percent in the past seven years as documented by the San Diego County Water Authority. At the same time agricultural production has increased. The reduction in water use has come from extensive investment in water saving technology, crop selection, and changed cultural practices. In addition to the reductions accomplished so quickly, on May 14, 2015, the San Diego County Water Authority is expected to require agricultural water use reductions of 15 percent based on supply allocations and previous agreements with farmers.

The farms imbedded in the urban water districts not meeting the 20 percent threshold are an important part of the mix that makes San Diego County both urban and agricultural. These farms are often long-standing and have persevered despite the urbanization that surrounds them. They should not be considered to be less valuable due to the political boundaries of water districts that have changed from agricultural to urban. Attached to this letter are a number of examples of farms that find themselves in districts with less than 20 percent agricultural water deliveries. In fact, some are in districts with deliveries as low as 2 percent.

Please reconsider the 20 percent threshold and allow all urban water suppliers the opportunity to certify that the agricultural uses they serve meet the definition of Government Code Section 51201(a) and be allowed to subtract the amount of water

supplied to the qualifying commercial agricultural uses from their water production totals.

Thank you and please feel free to call on us if you have any questions.

Regards,

A handwritten signature in black ink, appearing to read "E. Larson", written in a cursive style.

Eric Larson
Executive Director

cc. Vice Chair Frances Spivey-Weber
Board Member Dorene D'Adamo
Board Member Steven Moore
Board Member Tam Doduc
Undersecretary Gordon Burns